

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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JOSE CERDA GODINEZ,

Case No. 3:21-cv-00314-RCJ-WGC

Plaintiff,

v.

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION OF
MAGISTRATE JUDGE

GUZMAN, et al.,

Defendant.

Before the Court is the Report and Recommendation of United States Magistrate Judge Craig S. Denney (“R&R”) relating to Plaintiff’s motions for a temporary restraining order and a preliminary injunction. (ECF Nos. 16, 3, 4). The parties had until March 15, 2022, to object to the R&R. No objection has been filed.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge’s report and recommendation, then the court is required to “make a de novo determination of those portions of the [report and recommendation] to which objection is made.” 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1118–19 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

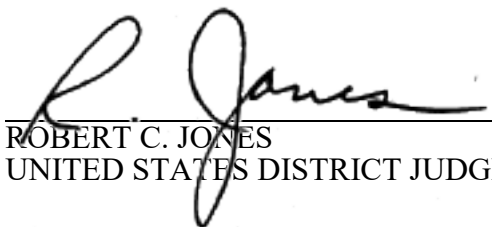
Nevertheless, this Court finds it appropriate to engage in a de novo review to determine whether to adopt Magistrate Judge Denney’s R&R. The Magistrate Judge recommends denying Plaintiff’s motions for a restraining order and an injunction because some of the relief requested is out of character with Plaintiff’s claims in this case, and Plaintiff makes no showing that any of the *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008), factors are met. Upon

1 reviewing the R&R and underlying briefs, this Court finds good cause to adopt the Magistrate
2 Judge's Recommendation in full.

3 It is therefore ordered that the Report and Recommendation of Magistrate Judge Denney
4 (ECF No. 16) is accepted and adopted in its entirety.

5 It is ordered that Plaintiff's motion for a temporary restraining order (ECF No. 3) and
6 motion for a preliminary injunction (ECF No. 4) are denied.

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8 DATED THIS 29th day of March 2022.

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11 ROBERT C. JONES
12 UNITED STATES DISTRICT JUDGE
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